

Dated: August 5, 1996.

A. Stanley Meiburg,

Acting Regional Administrator.

[FR Doc. 96-24042 Filed 9-19-96; 8:45 am]

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40 CFR Parts 153 and 159

[OPP-60010F; FRL-5396-1]

RIN 2070-AB50

Reporting Requirements for Risk/Benefit Information; Extension of Comment Period to Request Comments on Burden Estimates; Denial of Petition

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposal; extension of comment period; denial of petition.

SUMMARY: In the Federal Register of August 12, 1996, EPA reopened the comment period for a proposed rule that published in the Federal Register of September 24, 1992, which defined the specifics of reporting requirements under section 6(a)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act. This document announces the extension of the comment period for an additional 30 days. This document also announces the Agency's decision to deny a petition request to reopen the comment period to address broader issues of the proposed rule.

DATES: Comments must be submitted on or before October 21, 1996.

ADDRESSES: Submit written comments identified by the docket control number OPP-60010F by mail to: Public Response Section, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring comments directly to the OPP docket which is located in Rm. 1132 of Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form or encryption. Comments and data will also be accepted on disks in WordPerfect 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number "OPP-60010F." No Confidential Business Information (CBI) should be submitted through e-mail. Electronic comments on this document may be

filed online at many Federal Depository Libraries.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All comments will be available for public inspection in Rm. 1132 at the Virginia address given above from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: Jim Roelofs, Policy and Special Projects Staff, Office of Pesticide Programs, Environmental Protection Agency, Mail Code (7501C), 401 M St., SW., Washington, DC 20460. Telephone: (703) 308-2964, e-mail: roelofs.jim@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

In the Federal Register of August 12, 1996 (61 FR 41764) (FRL-5388-1), EPA announced the reopening of the comment period to a proposed rule published in the Federal Register of September 24, 1992 (57 FR 44290), which defined the specifics of reporting requirements under section 6(a)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Comments were limited to the sole issue of the costs or burdens associated with the proposed rule and the latest draft of the final rule.

On August 29, 1996, a number of industry trade associations formally petitioned the Agency to extend the comment period for 60 days, and to initiate a broader reopening of the rulemaking record to take comment on a number of provisions in the June 14, 1996 "draft final" version of the rule. In addition to specific provisions, the petitioners seem to argue that this broader reopening is necessary in order to allow commenters to address the value and legality of the requested information in addition to the burden associated with the information. The Agency believes that all the information covered by the draft final rule is information contained within the broad scope of section 6(a)(2). The Agency does not believe that a notice and comment opportunity is necessary or would be particularly helpful to resolve this legal issue. Similarly, the Agency does not believe that a notice and comment opportunity is either legally

mandated or would be particularly helpful in assisting the Agency to assess the regulatory utility of the information covered in the draft final rule. Finally, the petitioners assert that specific provisions of the June 14 "draft final" rule which differ from provisions of the 1992 proposed rule were wholly unanticipated and did not arise from comments received on the proposed rule. The Agency does not agree; the specific provisions noted by the petitioners arose from the Agency's interpretation of and response to comments received, including, in some instances, comments from the petitioners themselves. While the Agency appreciates the concerns of the petitioners and has no interest in the imposition of unnecessary or undue reporting burdens on pesticide registrants, EPA continues to believe that a reopening of the record limited to information concerning the nature of the burden associated with the draft final reporting requirements is both legally sufficient and the best way of providing interested parties with an opportunity to provide information to the Agency that could be helpful in concluding this rulemaking.

The Agency is therefore denying the petition request to reopen the record to include issues other than that of the burden associated with the reporting requirements. The Agency believes an additional period of 30 days is appropriate and sufficient to give petitioners added opportunity to comment on burden issues.

List of Subjects in Part 153 and 159

Environmental protection, Information collection requests, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: September 12, 1996.

Lynn R. Goldman,

Assistant Administrator for Prevention, Pesticides and Toxic Substances.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 96-095, Notice 02]

RIN 2127-AG50

Federal Motor Vehicle Safety Standards; Child Restraint Systems

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.